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Attorney for petitioner,
ALFRED LEE GRAYSON

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

| | | |
|----------------------|---|---------------------------------|
| Alfred Lee Grayson, |) | Case No. Civ. S-03-1694 MCE KJM |
| |) | |
| Petitioner, |) | STIPULATION AND ORDER RE |
| |) | BRIEFING SCHEDULE |
| vs. |) | |
| |) | |
| Tom L Carey, Warden, |) | |
| |) | |
| Respondent. |) | |

This matter is in the District Court after remand from the Ninth Circuit. Pursuant to the remand order, the court is to consider the issue of procedural default, and if there is no procedural default, is to evaluate the confrontation clause claim pursuant to *Ohio v. Roberts*, 448 U.S. 56 (1980).

Respondent filed a response to petitioner's points and authorities on April 19, 2010. Petitioner's counsel is in trial now in Sacramento County and needs additional time to complete briefing. Petitioner and respondent, through their counsel, hereby stipulate and agree that the due date for petitioner's reply points and authorities be continued to August 18, 2010.

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2 DATED: July 1, 2010

/s/ Tim Warriner, Attorney
for Petitioner, Alfred
Grayson

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4 DATED: July 1, 2010

/s/ Janis McLean, Deputy
Attorney General

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7 ORDER

8 GOOD CAUSE APPEARING, and pursuant to the stipulation of
9 the parties, it is hereby ordered that petitioner's reply points
10 and authorities will be due August 18, 2010.
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12 DATED: July 6, 2010

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14 U.S. MAGISTRATE JUDGE
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